MULTIMEDIA UNIVERSITY

STUDENT ID NO

MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 2, 2015 / 2016

PCC0012 – INTRODUCTION TO CRIMINAL AND CONSTITUTIONAL LAW

(All Sections / Groups)

8 March 2016
2.30 p.m. - 4.30 p.m.
(2 Hours)

INSTRUCTIONS TO STUDENT

1. This question paper consists of **TWO (2)** printed pages excluding the cover page.
2. Answer **ONE** question from Section A and **TWO** questions from Section B.
3. All answers should be written in the Answer Booklet.

SECTION A: ESSAY [40 MARKS]

Instruction: Answer **ONE** question only.

QUESTION 1 [40 marks]

"The Attorney General shall have the power, exercisable at his discretion, to institute, conduct or discontinue any proceedings for an offence, other than proceedings before a Syariah Court, a native court or a court-martial."

[Article 145(3) of the Federal Constitution]

Discuss the above mentioned provision and support your answer with relevant authorities.

(40 marks)

QUESTION 2 [40 marks]

Any Member of Parliament may introduce a Bill. Although a Bill could originate from the House of Senate, in most cases, the Bill would originate in the House of Representatives.

Explain the procedures involved in the formation of Malaysian legislation and support your answer with relevant authorities.

(40 marks)

Continued...

SECTION B: ESSAY [60 MARKS]

Instruction: Answer **TWO** questions only.

QUESTION 3 [30 marks]

Malaysia is a constitutional monarchy with a system of parliamentary democracy. The essence of democracy was, and still is, the people's participation in decision-makings.

Discuss the application of democracy in Malaysia's parliamentary system. Support your answer with relevant authorities.

(30 marks)

QUESTION 4 [30 marks]

The right to speech and expression and the restraints on this fundamental liberty are provided in Article 10(1)(a) of the Federal Constitution which states that subject to clauses (2), (3) and (4) every citizen has the right to freedom of speech and expression.

Discuss the nature and the restrictions of this fundamental liberty and support your answer with relevant authorities.

(30 marks)

QUESTION 5 [30 marks]

The Penal Code is one of the sources of Malaysian criminal law. Explain in details the historical background of the Malaysian Penal Code.

(30 marks)

End of page